

**SUPREME COURT MINUTES  
WEDNESDAY, NOVEMBER 10, 2004  
SAN FRANCISCO, CALIFORNIA**

**S099667**

A091884 First Appellate District,  
Division Five

KENT AND AGUILAR ON CONTEMPT;  
AGUILAR v. LERNER  
Rehearing denied

Kennard, J., Werdegarr, J., and Brown, J., are of  
the opinion the petition should be granted.

**S127641**

A104078 First Appellate District,  
Division Four

FRYE v. TENDERLOIN HOUSING  
Petition for review granted

Werdegarr, J., was recused and did not  
participate.

Votes: George, C.J., Kennard, Baxter, Chin,  
Brown, and Moreno, JJ.

**S128248**

B169563 Second Appellate District,  
Division Eight

B. (JOHN) v. S.C. ( BRIDGET B.)  
Petition for review granted

The court limited review to the following issues:  
(1) Under California law, may a person be held  
liable for failure to disclose to a sexual partner  
the fact that the person has a sexually  
transmissible disease only when the person  
actually knows he or she has a sexually  
transmissible disease (see *Doe v. Roe* (1990) 218  
Cal.App.3d 1538) or also when the person  
reasonably should have known he or she has  
such a disease? (2) If the duty to disclose is  
limited to situations in which a person actually  
knows he or she has a sexually transmissible  
disease, did the discovery permitted by the  
Court of Appeal in the present case violate  
either traditional standards of discovery (e.g.,  
relevance) or constitutionally protected rights of  
privacy?

Votes: George, C.J., Kennard, Baxter,  
Werdegarr, Chin, Brown, and Moreno, JJ.

**S112168**

C036988 Third Appellate District

PEOPLE v. EDMONTON

Dismissed per rule 29.3(b), and remanded to CA 3

Votes: George, C.J., Kennard, Baxter,  
Werdegarr, Chin, Brown, and Moreno, JJ.

**S065016**

BEELER (RODNEY G.) ON H.C.

Petition for writ of habeas corpus denied.

The petition for writ of habeas corpus, filed October 10, 1997, is denied on the merits, except as to the part of Claim C that asserts petitioner is incompetent to be executed.

The following claims are procedurally barred because they are untimely (*In re Clark* (1993) 5 Cal.4th 750, 797-798) and because petitioner failed to raise them in the trial court (*In re Seaton* (2004) 34 Cal.4th 193, 197): claims C (to the extent it asserts that the trial court violated *Riggins v. Nevada* (1992) 504 U.S. 127) and D (except to the extent it asserts that petitioner was not advised of his constitutional rights before pleading guilty in 1971 and 1974).

Claim F (to the extent it challenges the trial court's failure to dismiss Juror Macoskey) is procedurally barred because it was raised and rejected on appeal (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Harris* (1993) 5 Cal.4th 813, 829-841) and is untimely.

Claim C (to the extent it asserts the trial court erred in failing to institute proceedings under Penal Code section 1367 et seq.) is procedurally barred because it could have been, but was not, raised on appeal (*In re Dixon* (1953) 41 Cal.2d 756, 759) and is untimely.

The following claims are procedurally barred as untimely: Claims D (to the extent it asserts that petitioner was not advised of his constitutional rights before pleading guilty in 1971 and 1974), E, F, and I.

Claim C (to the extent it asserts that petitioner is incompetent to be executed) is denied as premature because no execution date has been set.

Claim L is denied for failure to allege sufficient facts. (*In re Swain* (1949) 34 Cal.2d

300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 810.)

Brown, J. would deny the petition solely on the merits.

Kennard, J. and Chin, J. would issue an order to show cause on the grounds alleged in Claims F.5.a. and F.5.b. of Petitioner's Reply to Respondent's Informal Response to the Petition for Writ of Habeas Corpus filed December 23, 1998.

**S126771**

HILLHOUSE (DANNIE) ON H.C.

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus filed on August 2, 2004, is denied. All claims are denied on the merits.

All claims except claims LL, NN, OO, PP, QQ, RR, SS, TT, UU, VV, WW, XX, YY, ZZ, CCC, DDD, EEE, and FFF are also denied as untimely (*In re Robbins* (1998) 18 Cal.4th 770 and *In re Clark* (1993) 5 Cal.4th 750) and successive (*In re Robbins, supra*, 18 Cal.4th at p. 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 768, 782; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547).

Except for allegations of ineffective assistance of counsel, claim H is also barred because it is not cognizable on habeas corpus. (*In re Sterling* (1965) 63 Cal.2d 486, 487-488.) Except for allegations of ineffective assistance of counsel, claims B, F, K, Q, T, W, BB, CC, EE, FF, and JJ are also barred because they could have been, but were not, raised on appeal. (*In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3; *In re Dixon* (1953) 41 Cal.2d 756, 759.) Except for allegations of ineffective assistance of counsel, claims R, S, SS, TT, UU, and VV are barred by *In re Waltreus* (1965) 62 Cal.2d 218, 225, to the extent they were raised and rejected on appeal, and by *In re Dixon, supra*, 41 Cal.2d 756, to the extent they were not raised on appeal.

Except for allegations of ineffective assistance of counsel, claims A, D, G, H, I, J, L, M, Z, and DD are also denied because petitioner did not object or otherwise raise the issue at or

before trial. (*In re Seaton* (2004) 34 Cal.4th 193, 199-201.)

Brown, J., would deny the petition solely on the merits.

**S127525**

BEELER (RODNEY) ON H.C.

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed December 8, 2003, is denied on the merits.

The claim that the admission of unadjudicated conduct at the penalty phase violated United States treaty obligations is also denied because petitioner failed to object on this ground at trial (*In re Seaton* (2004) 34 Cal.4th 193, 197) and because the claim is untimely (*In re Clark* (1993) 5 Cal.4th 750, 782-787) and successive (*id.* at pp. 767-774). The claim that trial counsel unreasonably failed to object to the unadjudicated conduct on this ground and that counsel failed to investigate adequately the alleged rape is also denied as untimely and successive.

Brown, J., would deny the petition solely on the merits.

**S127221**

B174496 Second Appellate District,  
Division Two

PONCE (KEITH SID) ON H.C.

Petition for review denied

**S127295**

F045990 Fifth Appellate District

TUNSTALL (ROBERT) ON H.C.

Petition for review denied

**S127315**

D042963 Fourth Appellate District,  
Division One

UTILITY CONSUMERS ACTION NETWORK v.  
PUBLIC UTILITIES COMM.

Petition for review denied

**S127317**

B152202 Second Appellate District,  
Division Two

VASQUEZ v. SOUTHERN PACIFIC

Petition for review denied

**S127363**

B163112 Second Appellate District,  
Division Eight

**EWING v. GOLDSTEIN**

Petition for review denied

Request for judicial notice granted.  
The requests for an order directing depublication  
of the opinion are denied.  
Baxter, J., and Brown, J., are of the opinion the  
petition should be granted.

**S127364**

E036311 First Appellate District,  
Division Two

**RODGERS (JERRY) ON H.C.**

Petition for review denied

**S127417**

H027530 Sixth Appellate District

**BROUSSARD (TYRONE) ON H.C.**

Petition for review denied

**S127434**

H027301 Sixth Appellate District  
H023545

**ANCHETA (ARNOLD) ON H.C.**

Petition for review denied

**S127443**

A107053 First Appellate District,  
Division Two

**TYSON (TIMMY RAY) ON H.C.**

Petition for review denied

**S127471**

D044650 Fourth Appellate District,  
Division One

**DE LA GARZA (MICHAEL) ON H.C.**

Petition for review denied

**S127503**

B169516 Second Appellate District,  
Division Four

**JOHNSON v. CAPITAL ONE BANK**

Petition for review denied

**S127526**

F045808 Fifth Appellate District

**GALAZ (ALFRED PAUL) ON H.C.**

Petition for review denied

**S127530**

C041318 Third Appellate District

**PEOPLE v. WOODWARD**

Petition for review denied

Petition for review denied without prejudice to  
any relief to which defendant might be entitled

after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S127536**  
C047258 Third Appellate District

SCOTT (BYRON) ON H.C.  
Petition for review denied

**S127612**  
C047611 Third Appellate District

REED (ALONZO) ON H.C.  
Petition for review denied

**S127650**  
B177327 Second Appellate District,  
Division Seven

OLIVAS v. S.C. (PEOPLE)  
Petition for review denied

**S127667**  
A101379 First Appellate District,  
Division Five

PEOPLE v. KING  
Petition for review & publication request denied

**S127671**  
E034059 Fourth Appellate District,  
Division Two

PEOPLE v. PETTAWAY  
Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled under the Three Strikes and Child Protection Act of 2004. (Proposition 66, as approved by voters, Gen. Elec. (Nov. 2, 2004); see §11 thereof.)

Kennard, J., is of the opinion the petition should be granted.

**S127684**  
C043219 Third Appellate District

IMPERIAL, COUNTY OF v. STATE LANDS COMM  
(NORTH BAJA PIPELINE LLC)  
Petition for review denied

**S127713**  
B177531 Second Appellate District,  
Division Seven

ESCOBEDO (JOEL) ON H.C.  
Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled

after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S127733**

B168916 Second Appellate District,  
Division Five

LOS ANGELES, CITY OF v. FURMAN SELZ  
CAPITAL MANAGEMENT  
Petition for review denied

**S127734**

B166525 Second Appellate District,  
Division Eight

EWING v. NORTHRIDGE  
Petition for review denied

Request for judicial notice granted.  
The requests for an order directing  
depublishing of the opinion are denied.  
Baxter, J., and Brown, J., are of the opinion  
the petition should be granted.

**S127740**

B162883 Second Appellate District,  
Division Four

PEOPLE v. MUNNS  
Petitions for review denied

**S127745**

D044905 Fourth Appellate District,  
Division One

STRODE v. S.C. (CITICAPITAL COMMERCIAL)  
Petition for review denied

**S127765**

B169077 Second Appellate District,  
Division Two

PEOPLE v. CLEMONS  
Petition for review denied

**S127767**

A104266 First Appellate District,  
Division Two

SCHNEBLE v. SIKER  
Petition for review denied

**S127771**

E034732 Fourth Appellate District,  
Division Two

PEOPLE v. RAAHAUGE  
Petitions for review & publication request denied

**S127780**

B177467 Second Appellate District,  
Division Six

BOARD OF SUPERVISORS v. S.C. (TOTTEN)  
Petition for review denied

Kennard, J., is of the opinion the petition should  
be granted.  
Brown, J., was recused and did not participate.

**S127785**

D044864 Fourth Appellate District,  
Division One

BRAVO (VICTOR J.) ON H.C.  
Petition for review denied

**S127792**

D044814 Fourth Appellate District,  
Division One

HANIG v. S.C. (QUALCOMM INC.)  
Petition for review denied

**S127794**

B165430 Second Appellate District,  
B168846 Division Seven

PEOPLE v. SIRIZZOTTI  
Petition for review denied

**S127796**

E033916 Fourth Appellate District,  
Division Two

STATE OF CALIF ex rel. BARAKAT CONSULTING  
v. LOS ANGELES DEPT. OF WATER & POWER  
Petition for review denied

**S127798**

B168247 Second Appellate District,  
B173170 Division Five

PEOPLE v. DEVERA  
Petition for review denied

**S127839**

B177348 Second Appellate District,  
Division Six

MCMILLAN (EDWIN D.) ON H.C.  
Petition for review denied

Petition for review denied without prejudice to  
any relief to which defendant might be entitled  
after this court determines in *People v. Black*,  
S126182, and *People v. Towne*, S125677, the  
effect of *Blakely v. Washington* (2004) \_\_\_  
U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S127854**

A107241 First Appellate District,  
Division One

CALIFORNIA INSURANCE GUARANTEE  
ASSOCIATION v. WCAB; AVILA  
Petition for review denied



**S127858**

B167522 Second Appellate District,  
Division Six

## PEOPLE v. HICKS

Petition for review denied

**S127870**

A104117 First Appellate District,  
Division Two

## SELIGSOHN v. DAY

Petition for review denied

**S127871**

E035100 Fourth Appellate District,  
Division Two

## LANE v. FORECAST GROUP

Petition for review & publication request denied

**S127876**

E035487 Fourth Appellate District,  
Division Two

## PEOPLE v. RENEAU

Petition for review denied

**S127890**

C045961 Third Appellate District

## P. (R.) IN RE

Petition for review denied

**S127893**

E034940 Fourth Appellate District,  
E036050 Division Two

## E. (RICHARD), IN RE

Petitions for review denied

**S127912**

E032717 Fourth Appellate District,  
Division Two

## PEOPLE v. BURHOP

Petition for review denied

**S127914**

C045245 Third Appellate District

## T. (JOHN), IN RE

Petition for review denied

**S127920**

B169968 Second Appellate District,  
Division Eight

## PEOPLE v. BELTRAN

Petition for review denied

**S127925**

A105253 First Appellate District,  
Division Five

## LAMPERTI v. U.S. BANK

Petition for review & publication request denied

**S127946**

B168154 Second Appellate District,  
Division Five

AMERICAN ENVIRONMENTAL SAFETY  
INSTITUTE v. DENTON  
Petition for review & publication request denied

**S127952**

B162402 Second Appellate District,  
Division Two

CORSON v. PALMDALE SCHOOL DISTRICT  
Petition for review denied

**S127969**

D041728 Fourth Appellate District,  
Division One

PEOPLE v. BROOKS  
Petition for review denied

**S127982**

B158557 Second Appellate District,  
Division One

EBCOM INTERNATIONAL v. LOS ANGELES  
CHECKER CAB  
Petition for review denied

**S127998**

A101230 First Appellate District,  
A101494 Division Five

PEOPLE v. WALKER  
Petition for review denied

**S127999**

H025956 Sixth Appellate District

PEOPLE v. MARTINEZ  
Petition for review denied

**S128014**

B168688 Second Appellate District,  
Division Two

PEOPLE v. GOMEZ  
Petitions for review denied

**S128015**

B177725 Second Appellate District,  
Division Two

N. v. S.C. (PEOPLE)  
Petition for review denied

**S128038**

D043922 Fourth Appellate District,  
Division One

LA JOLLA COVE MOTEL & HOTEL APARTMENTS  
v. S.C. (JACKMAN)  
Petition for review denied

Chin, J., is of the opinion the petition should be  
granted.

**S128043**

A102614 First Appellate District,  
Division Three

PEOPLE v. JUAREZ

Petition for review denied

**S128044**

A104782 First Appellate District,  
Division Three

H. (JERRED), IN RE

Petition for review denied

**S128046**

B167953 Second Appellate District,  
Division Three

E. (JACOB), IN RE

Petitions for review denied

**S128048**

B165657 Second Appellate District,  
Division Three

PEOPLE v. RHINEHARDT

Petition for review denied

**S128054**

F043941 Fifth Appellate District

PEOPLE v. RUBIO

Petition for review denied

Kennard, J., is of the opinion the petition should  
be granted.

**S128055**

F042360 Fifth Appellate District

PEOPLE v. GIORDANO

Petition for review denied

Baxter, J., was recused and did not participate.

**S128057**

F044345 Fifth Appellate District

PEOPLE v. OJEDA

Petition for review denied

**S128061**

C042729 Third Appellate District

WOLFE v. COUNTY OF SACRAMENTO

Petition for review denied

**S128062**

B176964 Second Appellate District,  
Division Three

VAFADAR v. W.C.A.B. (CONTINENTAL  
CASUALTY COMPANY)

Petition for review denied

**S128066**

A106646 First Appellate District,  
Division Two

GOLDEN GATE BRIDGE HIGHWAY AND  
TRANSPORTATION DISTRICT v. WCAB (PAUL)  
Petition for review denied

**S128070**

C044998 Third Appellate District

PEOPLE v. RANKIN

Petition for review denied

**S128072**

F043706 Fifth Appellate District

PEOPLE v. SISNERON

Petition for review denied

**S128073**E034069 Fourth Appellate District,  
Division Two

PEOPLE v. MONTOYA

Petition for review denied

**S128075**E033953 Fourth Appellate District,  
Division Two

PEOPLE v. LUCERO

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S128076**B168418 Second Appellate District,  
Division Seven

PEOPLE v. ESCOBEDO

Petition for review denied

**S128077**A103817 First Appellate District,  
Division Two

GONZALES, MARRIAGE OF

Petition for review denied

**S128078**B167215 Second Appellate District,  
Division Four

PEOPLE v. JOHNSON

Petition for review denied

**S128079**B176937 Second Appellate District,  
Division SixRUIZ v. WCAB (STATE COMPENSATION  
INSURANCE FUND)

Petition for review denied

**S128080**E034737 Fourth Appellate District,  
Division Two

PEOPLE v. MUNOZ

Petition for review denied

**S128082**

B167916 Second Appellate District,  
Division Six

PEOPLE v. REYNOZO  
Petition for review denied

**S128084**

F042662 Fifth Appellate District

PEOPLE v. WYATT  
Petition for review denied

Baxter, J., was recused and did not participate.

**S128085**

D041921 Fourth Appellate District,  
Division One

PEOPLE v. GOODRUM  
Petition for review denied

**S128087**

B170677 Second Appellate District,  
Division One

H. (DAVION), IN RE  
Petition for review denied

**S128088**

B164417 Second Appellate District,  
Division Two

SHERMAN v. HARBIN  
Petition for review denied

**S128089**

C044623 Third Appellate District

ROSOFF v. S.C. (MEDICAL BOARD OF CALIF)  
Petition for review denied

**S128090**

E034570 Fourth Appellate District,  
Division Two

PEOPLE v. VALENTIN  
Petition for review denied

**S128091**

B171502 Second Appellate District,  
Division Seven

PEOPLE v. MORRISON  
Petition for review denied

**S128095**

C045877 Third Appellate District

WELLS v. MURPHY  
Petition for review denied

**S128096**

B174571 Second Appellate District,  
Division Eight

PEOPLE v. PARKER  
Petition for review denied

**S128097**

B177914 Second Appellate District,  
Division Eight

DRURY (JAMES ROBERT) ON H.C.  
Petition for review denied

**S128101**

B167128 Second Appellate District,  
B174196 Division One

PEOPLE v. SMITH  
Petition for review denied

**S128102**

H025733 Sixth Appellate District

PEOPLE v. CORREA  
Petition for review denied

**S128104**

C044300 Third Appellate District  
C042729

WOLFE v. MAHLE  
Petition for review denied

**S128105**

D042285 Fourth Appellate District,  
Division One

PEOPLE v. LAVALLEY  
Petition for review denied

**S128106**

F044035 Fifth Appellate District

PEOPLE v. WOLDE  
Petition for review denied

**S128109**

G032324 Fourth Appellate District,  
Division Three

PEOPLE v. POOL  
Petition for review denied

**S128113**

B169647 Second Appellate District,  
Division Four

PEOPLE v. TORRES  
Petition for review denied

**S128115**

E032100 Fourth Appellate District,  
E033489 Division Two

PEOPLE v. RATLIFF/VANPOOL  
Petitions for review denied

**S128116**

F041212 Fifth Appellate District

PEOPLE v. TORRES  
Petition for review denied

<b>S128117</b> C044111 Third Appellate District	PEOPLE v. THOMAS Petition for review denied
<b>S128118</b> B169353 Second Appellate District, Division Three	PEOPLE v. DIAZ Petition for review denied
<b>S128121</b> B177283 Second Appellate District, Division Six	SANDERS v. WCAB (AG TRUCKING) Petition for review denied
<b>S128122</b> G032755 Fourth Appellate District, Division Three	SHADE v. RACKAUCKAS Petition for review denied
<b>S128123</b> B169071 Second Appellate District, Division Four	PEOPLE v. DUENAS Petition for review denied
<b>S128125</b> H026401 Sixth Appellate District	PEOPLE v. TRAN Petition for review denied
<b>S128128</b> A104769 First Appellate District, Division Four	PEOPLE v. STEWART Petition for review denied
<b>S128129</b> E034613 Fourth Appellate District, Division Two	PEOPLE v. COOK Petition for review denied
<b>S128130</b> B172965 Second Appellate District, Division Four	PEOPLE v. CARTER Petition for review denied
<b>S128131</b> F044197 Fifth Appellate District	B. (ROBERT), IN RE Petition for review denied
<b>S128134</b> H026563 Sixth Appellate District	PEOPLE v. GUILLEN Petition for review denied

**S128138**

E034243 Fourth Appellate District,  
Division Two

## PEOPLE v. KING

Petition for review denied

**S128139**

A102419 First Appellate District,  
Division Four

## PEOPLE v. TOLIVER

Petition for review denied

**S128147**

C042868 Third Appellate District

## PEOPLE v. VUE

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S128151**

A102768 First Appellate District,  
Division Two

## PEOPLE v. RUSSELL

Petition for review denied

**S128153**

F042727 Fifth Appellate District

## PEOPLE v. MAR

Petition for review denied

**S128156**

F043422 Fifth Appellate District

## PEOPLE v. DISMUKE

Petition for review denied

**S128157**

A098086 First Appellate District,  
Division Three

## PEOPLE v. FLIPPIN

Petition for review denied

**S128159**

A105089 First Appellate District,  
Division One

## P. (RICKIE), IN RE

Petition for review denied

**S128164**

A105199 First Appellate District,  
Division Three

## PEOPLE v. JOHNSON

Petition for review denied



**S128167**  
C047719 Third Appellate District

WRIGHT v. S.C. (PEOPLE)  
Petition for review denied

**S128168**  
A101457 First Appellate District,  
Division One

PEOPLE v. GULLETT  
Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S128169**  
B168960 Second Appellate District,  
Division Six

PEOPLE v. ROMERO  
Petition for review denied

**S128172**  
D041941 Fourth Appellate District,  
Division One

PEOPLE v. MCCOWAN  
Petition for review denied

**S128178**  
B164704 Second Appellate District,  
Division Four

PEOPLE v. CORELLA  
Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S128183**  
C044717 Third Appellate District

BEISSBARTH USA, INC. v. MCGINNIS  
Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

**S128185**  
B168251 Second Appellate District,  
Division Seven

PEOPLE v. BENTON  
Petition for review denied

<b>S128187</b> B170891 Second Appellate District, Division Two	PEOPLE v. VILLA Petition for review denied
<b>S128190</b> D043631 Fourth Appellate District, Division One	B. (BRITTANY), IN RE Petition for review denied
<b>S128192</b> G034142 Fourth Appellate District, Division Three	PATE v. WCAB (SIMPSON STRONG TIE) Petition for review denied
<b>S128193</b> C038860 Third Appellate District C038988	ERICKSON v. CENTRAL VALLEY TOWING INC. Petition for review denied
<b>S128196</b> A104911 First Appellate District, Division Three	SHOAGA v. YOUNG Petition for review denied
<b>S128198</b> E035532 Fourth Appellate District, Division Two	PEOPLE v. HINES Petition for review denied
<b>S128202</b> H025224 Sixth Appellate District	PEOPLE v. CUEN Petition for review denied
<b>S128203</b> D042309 Fourth Appellate District, Division One	PEOPLE v. MU Petition for review denied
<b>S128204</b> B170410 Second Appellate District, Division Three	PEOPLE v. BRADEN Petition for review denied
<b>S128205</b> E031535 Fourth Appellate District, Division Two	PEOPLE v. PRUITT Petition for review denied

**S128206**

B165196 Second Appellate District,  
Division One

PEOPLE v. WILLIAMS  
Petition for review denied

**S128208**

C043136 Third Appellate District

PEOPLE v. BAILEY  
Petition for review denied

**S128211**

A103624 First Appellate District,  
Division One

PEOPLE v. JOHNSON  
Petition for review denied

**S128214**

B165257 Second Appellate District,  
Division Eight

M. (JOSUE), IN RE  
Petition for review denied

**S128215**

B169809 Second Appellate District,  
Division Eight

PEOPLE v. BERMEA  
Petition for review denied

**S128218**

A102474 First Appellate District,  
Division Three

PEOPLE v. HARPER  
Petition for review denied

**S128223**

B169993 Second Appellate District,  
Division Six

PEOPLE v. SCHOLER  
Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S128224**

H026089 Sixth Appellate District

FIERRO v. GABILAN MANUFACTURING  
Petition for review denied

**S128225**

A101893 First Appellate District,  
Division Five

PEOPLE v. MCGRAW  
Petition for review denied

**S128226**

A103384 First Appellate District,  
Division One

PEOPLE v. CAMPBELL  
Petition for review denied

**S128228**

A104814 First Appellate District,  
Division Three

G. (MARCUS), IN RE  
Petition for review denied

**S128229**

B171268 Second Appellate District,  
Division Six

PEOPLE v. VERA  
Petition for review denied

**S128231**

B168755 Second Appellate District,  
Division Eight

PEOPLE v. LOPEZ  
Petition for review denied

**S128240**

B162071 Second Appellate District,  
Division Eight

VENTI v. BALDERRAMA  
Petition for review denied

**S128241**

E034426 Fourth Appellate District,  
Division Two

PEOPLE v. NOLLAN  
Petition for review denied

**S128242**

B177107 Second Appellate District,  
Division Five

ANDREWS (TOM WILLIAM) ON H.C.  
Petition for review denied

**S128243**

B167166 Second Appellate District,  
Division Seven

PEOPLE v. WARE  
Petition for review denied

**S128244**

B169481 Second Appellate District,  
Division One

PEOPLE v. DAVIS  
Petition for review denied

**S128246**

B171627 Second Appellate District,  
Division Seven

PEOPLE v. PERSALL  
Petition for review denied

**S128247**

B161872 Second Appellate District,  
B164186 Division Eight

BERTRAM v. VOUIS

Petition for review denied

**S128253**

F042469 Fifth Appellate District  
F042834

GUTIERREZ v. GUTIERREZ

Petition for review denied

**S128254**

D043873 Fourth Appellate District,  
Division One

MASTERS v. ALAMEIDA

Petition for review denied

**S128255**

B167215 Second Appellate District,  
Division Two

PEOPLE v. JOHNSON

Petition for review denied

**S128259**

D041927 Fourth Appellate District,  
Division One

HECTOR v. TRIEN

Petition for review denied

**S128260**

G033037 Fourth Appellate District,  
Division Three

PEOPLE v. AGUILAR

Petition for review denied

**S128261**

B169234 Second Appellate District,  
Division Four

PEOPLE v. ROWLAND

Petition for review denied

Brown, J., is of the opinion the petition should  
be granted.

**S128262**

C047780 Third Appellate District

PEOPLE v. MCGUIRE

Petition for review denied

**S128264**

H025498 Sixth Appellate District

PEOPLE v. MCGHEE

Petition for review denied

Petition for review denied without prejudice to  
any relief to which defendant might be entitled  
after this court determines in *People v. Black*,

S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S128265**

E032374 Fourth Appellate District,  
Division Two

PEOPLE v. MENA

Petition for review denied

**S128266**

H026783 Sixth Appellate District

O. (C.), IN RE

Petition for review & publication request denied

**S128270**

F044823 Fifth Appellate District

PEOPLE v. RAMIREZ

Petition for review denied

Baxter, J., was recused and did not participate.

**S128272**

B169309 Second Appellate District,  
Division Eight

PEOPLE v. HARRIS

Petition for review denied

**S128277**

G030393 Fourth Appellate District,  
Division Three

PEOPLE v. MURPHY

Petition for review denied

**S128280**

B165269 Second Appellate District,  
Division One

PEOPLE v. RODRIGUEZ

Petition for review denied

**S128283**

E036656 Fourth Appellate District,  
Division Two

CARTER v. S.C. (PEOPLE)

Petition for review denied

**S128286**

C044087 Third Appellate District

AUBURN WOODS I HOMEOWNERS ASSOC. v.  
FAIR EMPLOYMENT & HOUSING (ELEBIARI)

Petition for review denied

Chin, J., is of the opinion the petition should be granted.

**S128288**

B163706 Second Appellate District,  
B166302 Division Three

**GONZALES v. COUNTRYWIDE HOME LOANS  
(RAVEN)**

Petition for review denied

**S128289**

G031656 Fourth Appellate District,  
Division Three

**PEOPLE v. SANDERS**

Petition for review denied

Kennard, J., is of the opinion the petition should  
be granted.

**S128290**

D042697 Fourth Appellate District,  
Division One

**DAVIS-HOGAN v. ABRAMS**

Petition for review denied

**S128293**

C041846 Third Appellate District

**PEOPLE v. BLACKBURN**

Petition for review denied

**S128295**

D042386 Fourth Appellate District,  
Division One

**PEOPLE v. CLOUD**

Petition for review denied

**S128299**

B171746 Second Appellate District,  
Division Six

**CHUNG, LARRY v. JUDICIAL COUNCIL OF CALIF**

Petition for review denied

George, C.J., and Baxter, J., were recused and  
did not participate.

**S128301**

C040020 Third Appellate District

**PEOPLE v. WINN**

Petition for review denied

**S128302**

C045302 Third Appellate District

**PEOPLE v. HERNANDEZ**

Petition for review denied

**S128314**

D042279 Fourth Appellate District,  
Division One

**JAMUL INDIAN VILLAGE v. WEBB**

Petition for review denied

**S128316**

B170425 Second Appellate District,  
Division One

**PEOPLE v. CALDWELL**

Petition for review denied

**S128339**

B167750 Second Appellate District,  
Division Eight

## PEOPLE v. SIDERIS

Petition for review denied

**S128340**

C043091 Third Appellate District

## PEOPLE v. WEBB

Petition for review denied

**S128342**

E035465 Fourth Appellate District,  
Division Two

## PEOPLE v. ESTRADA

Petition for review denied

**S128343**

A104526 First Appellate District,  
Division One

## PEOPLE v. PULLEY

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S128344**

D043485 Fourth Appellate District,  
Division One

## T. (ANGELICA), IN RE

Petition for review denied

**S128345**

E036633 Fourth Appellate District,  
Division Two

## BADURA v. S.C. (PEOPLE)

Petition for review and application for stay denied

**S128346**

C045266 Third Appellate District

## PEOPLE v. TARVER

Petition for review denied

**S128349**

B173222 Second Appellate District,  
Division Six

## PEOPLE v. VALLE

Petition for review denied

**S128351**

F042244 Fifth Appellate District

## PEOPLE v. CRUZ

Petition for review denied



**S128356**

G033794 Fourth Appellate District,  
Division Three

C., (CODY), IN RE

Petition for review denied

**S128374**

H026191 Sixth Appellate District

ENGLISH (HAROLD SINCLAIR) ON H.C.

Petition for review denied

**S128381**

H025023 Sixth Appellate District

PEOPLE v. ENGLISH (HAROLD SINCLAIR)

Petition for review denied

**S128423**

E033600 Fourth Appellate District,  
Division Two

PEOPLE v. EARLEY

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) \_\_\_ U.S. \_\_\_ 124 S.Ct. 2531, on California law.

**S128631**

B178304 Second Appellate District,  
Division Six

PEOPLE v. S.C. (MALONEY)

Petition for review and application for stay denied

**S128852**

B178594 Second Appellate District,  
Division Two

GOVIN v. S.C. (L.A.P.D.)

Petition for review and application for stay denied

**S128865**

A107935 First Appellate District,  
Division Two

DISTRICT COUNCIL OF PAINTERS v. S.C.  
(LAWRENCE)

Petition for review and application for stay denied

**S128866**

A108003 First Appellate District,  
Division One

HARRIS v. S.C. (PEOPLE)

Petition for review and application for stay denied

**S128937**

H028051 Sixth Appellate District

HARTWELL v. S.C. (KIRSCH)

Petition for review and application for stay denied

Request for judicial notice denied.

**S120816**

DEHERRERA (ELMER) ON H.C.  
Petition for writ of habeas corpus denied

**S120841**

PEREZ (ROGELIO) ON H.C.  
Petition for writ of habeas corpus denied

**S120850**

ROGERS (RAYMOND) ON H.C.  
Petition for writ of habeas corpus denied

**S120857**

BREW (JERRY) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S120884**

BROWN (FREDERICK R.) ON H.C.  
Petition for writ of habeas corpus denied

**S120886**

GRAY (JEFFREY D.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S120925**

ROSENBERG (RONALD) ON H.C.  
Petition for writ of habeas corpus denied

**S120995**

PLANK (ROGER) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S121024**

MORAN (SALVADOR) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S121273**

DYKES (KEVIN UNDRE) ON H.C.  
Petition for writ of habeas corpus denied

**S121310**

WILLIAMS (CURTIS) ON H.C.  
Petition for writ of habeas corpus denied

**S121344**

TABAREZ (FERNANDO O.) ON H.C.  
Petition for writ of habeas corpus denied

**S121351**

SIMPSON (LARRY) ON H.C.  
Petition for writ of habeas corpus denied

**S121384**

SHARLHORNE (STACY) ON H.C.  
Petition for writ of habeas corpus denied

**S121385**

ESPINO (MARTIN) ON H.C.  
Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464,  
474.)

**S121467**

MORENO (TOMMY P.) ON H.C.  
Petition for writ of habeas corpus denied

**S121510**

RAMIREZ (JOSE L.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus*  
(1965) 62 Cal.2d 218; *In re Dixon* (1953) 41  
Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d  
709.)

**S121593**

GINEZ (SIMON) ON H.C.  
Petition for writ of habeas corpus denied

**S121638**

EGEGJURU (WOKOMA) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S121652**

OUTMAN (ROBERT) ON H.C.  
Petition for writ of habeas corpus denied

**S121683**

BERRY (STEVEN W.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S121699**

GABARRETTE (CARLOS D.) ON H.C.  
Petition for writ of habeas corpus denied

**S121729**

HATLER (WILLIS ROBERT) ON H.C.  
Petition for writ of habeas corpus denied

**S121794**

STRONG, SR. (SYLVESTER) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.))

Baxter, J., was recused and did not participate.

**S121795**

COLE (SHOSONE C.) ON H.C.  
Petition for writ of habeas corpus denied

as untimely (see *In re Robbins* (1998) 18 Cal.4th 770, 780) and on the merits.

**S121810**

OCHOA (CELERINO A.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S121824**

DOUGLAS (DARRAL) ON H.C.  
Petition for writ of habeas corpus denied

**S121837**

ARROYO (VICTOR H.) ON H.C.  
Petition for writ of habeas corpus denied

**S121839**

JOHNSON (PAUL DAVID) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

**S121842**

GALLEGOS (ROBERT) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S121843**

SOLIS (ROBERT ORTEGA) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

**S121848**

ALEXANDER (ERIC C.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S121859**

GARRISON (JOSEPH R.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

**S121864**

COOPER (REGINALD) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S121869**

BIANCHI (KENNETH A.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)  
George, C.J., was absent and did not participate.

**S121883**

HALEY (DWAYNE MICHAEL) ON H.C.  
Petition for writ of habeas corpus denied

**S121884**

MYERS (RANDY) ON H.C.  
Petition for writ of habeas corpus denied

**S121888**

WALKER (AARON MORGAN) ON H.C.  
Petition for writ of habeas corpus denied

**S121890**

WARNS (HOWARD) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

**S121896**

GIX (FLOYD W.) ON H.C.  
Petition for writ of habeas corpus denied

**S121905**

CLAUS (IVAN J.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

**S121907**

BLAND (RICKEY L.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S121909**

WALTON (KEITH) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709.)

**S121915**

RHORABOUGH (JAMES) ON H.C.  
Petition for writ of habeas corpus denied

(See *People v. Gonzalez* (1990) 51 Cal.3d 1179, 1256-1261.)

**S121916**

VASQUEZ (JAVIER) ON H.C.  
Petition for writ of habeas corpus denied

**S121917**

ABRAMS (DAVID MICHAEL) ON H.C.  
Petition for writ of habeas corpus denied

**S121929**

BANKS (CHARLES) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

**S121944**

GARZA (JULIO) ON H.C.  
Petition for writ of habeas corpus denied

**S121945**

BARKER (RONALD E.) ON H.C.  
Petition for writ of habeas corpus denied

**S121971**

EDIE (MICHAEL) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**S121998**

HARRIS (EARNEST S.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S122004**

ZERMENO (GREGORY) ON H.C.  
Petition for writ of habeas corpus denied

**S122011**

BILBREW (TERRELL) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**S122065**

SANTANA (RUBEN) ON H.C.  
Petition for writ of habeas corpus denied

**S122068**

BLALOCK (NATHANIEL P.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750.)

**S122070**

RICH (JACK C.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**S122076**

WESLEY (ISHMAEL) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S122124**

WHITE (ROOSEVELT) ON H.C.  
Petition for writ of habeas corpus denied

**S122137**

WEBSTER (KENNETH) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)

**S122146**

VALENCIA (IGNACIO) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)



**S122165**

WILLIAMS (TARA SHENEVA) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)

**S122189**

PITTS (KENYON) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

**S122192**

ELLIS (BENJAMIN) ON H.C.  
Petition for writ of habeas corpus denied

**S122199**

ARGILAGO (LUCAS) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S122200**

CASTLE (SY) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S122940**

TROY (LONNIE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

**S122986**

BRAVO (VICTOR) ON H.C.  
Petition for writ of habeas corpus denied

Petition for writ of habeas corpus is denied without prejudice to petitioner filing a subsequent petition in an appropriate court following the resolution of the appeal in *People v. Bravo*, D043946.

**S123084**

EDIE (MICHAEL A.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**S123972**

PITTS (KENYON) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

**S124354**

CHATMAN (CHARLES) ON H.C.  
Petition for writ of habeas corpus denied

**S125435**

PLANK (ROGER E.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S125526**

COOPER (REGINALD L.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S126075**

WHITFIELD (DEWAYNE D.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Miller* (1941) 17 Cal.2d 734.)

**S126277**

WHITFIELD (DEWAYNE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

**S126311**

BREW (JERRY) ON H.C.  
Petition for writ of habeas corpus denied

**S126350**

WHITFIELD (DEWAYNE D.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S126351**

PFAUTZ (LOREN M.) ON H.C.  
Petition for writ of habeas corpus denied

**S126522**

COOLEY (FREDERICK M.) ON H.C.  
Petition for writ of habeas corpus denied

**S126545**

CASTILLO (ABRAHAM) ON H.C.  
Petition for writ of habeas corpus denied

**S126697**

BRISTOL (ROBERT R.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

**S126899**

YOUNG (GREGORY L.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Duvall* (1995) 9 Cal.4th 464, 474.)

**S126967**

RANKIN (NATHAN D.) ON H.C.  
Petition for writ of habeas corpus denied

**S126999**

HORTON (ORLANDO D.) ON H.C.  
Petition for writ of habeas corpus denied

**S128127**

ROSALES (DANNY S.) ON H.C.  
Petition for writ of habeas corpus denied

**S128170**

GREEN (WARREN) ON H.C.  
Petition for writ of habeas corpus denied

**S128256**

ADAMS (BENJAMIN) ON H.C.  
Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.  
But see Calif. Code of Regs.Tit. 15, §3076.)

Brown, J., was recused and did not participate.

**S128326**

HOLTSINGER (MICHAEL) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S128440**

LEMONS (GLEN D.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756.)

**S128447**

DAVID T.) ON H.C.  
Petition for writ of habeas corpus denied

**S128459**

DUMONT (PAUL) ON H.C.  
Petition for writ of habeas corpus denied

**S128482**

BAKER (ERIC) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709.)

**S128566**WHITMORE (MARC A.) ON H.C.  
Petition for writ of habeas corpus denied**S128569**JACKSON (KANZA) ON H.C.  
Petition for writ of habeas corpus denied**S128693**LOPEZ (DAVID T.) ON H.C.  
Petition for writ of habeas corpus denied**S128708**CAZELLY (CARLOS) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756.)

**S128731**WEBSTER (JAMES D.) ON H.C.  
Petition for writ of habeas corpus denied**S128783**DUNPHY (THOMAS J.) ON H.C.  
Petition for writ of habeas corpus denied**S128812**MARTINEZ (REYNALDO) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; Pen. Code, §§ 3000, subd. (b)(1), 3057; *People v. Jefferson* (1999) 21 Cal.4th 86, 95-96.)

**S128359**PFOST (MARK C.) ON H.C.  
Order filed

The order filed on October 27, 2004, denying the petition for writ of habeas corpus, is modified as to the name.

**S125993**

A102603 First Appellate District,  
Division Four

LOPEZ v. CHARLES SCHWAB & CO.

Depublication request denied (case closed)

Kennard, J., Werdegar, J., and Brown, J., are  
recused and did not participate.

**S126445**

B168056 Second Appellate District,  
Division Eight

VALLEY VISTA SERVICES v. CITY OF  
MONTEREY PARK

Depublication request denied (case closed)

**S127031**

B155166 Second Appellate District,  
Division Eight

COUNTY OF LOS ANGELES v. NAVARRO

Depublication requests denied (case closed)

**S127238**

G031662 Fourth Appellate District,  
Division Three

PETROU v. SOUTH COAST EMERGENCY GROUP

Depublication request denied (case closed)

Chin, J., was recused and did not participate.

**S128578**

A105329 First Appellate District,  
Division Five

G. (ANDREW), IN RE

Publication request denied (case closed)

**S027264**

PEOPLE v. FRIEND (JACK W.)

Extension of time granted

to January 6, 2005 to file respondent's brief.  
After that date, only two further extensions  
totaling about 90 additional days will be  
granted. Extension is granted based upon  
Deputy Attorney General Gregg E. Zywicke's  
representation that he anticipates filing that brief  
by 4/6/2005.

**S029011**

PEOPLE v. SOLOMON (MORRIS, JR.)

Extension of time granted

to January 14, 2005 to file respondent's brief.  
After that date, only three further extensions  
totaling about 180 additional days will be  
granted. Extension is granted based upon

Deputy Attorney General David Andrew Eldridge's representation that he anticipates filing that brief by 7/15/2005.

**S031603**

PEOPLE v. LEWIS (JOHN)  
Extension of time granted

to January 11, 2005 to file appellant's reply brief. After that date, only two further extensions totaling about 105 additional days will be granted. Extension is granted based upon Assistant State Public Defender Kathleen M. Scheidel's representation that she anticipates filing that brief by 4/26/2005.

**S047867**

PEOPLE v. VIRGIL (LESTER W.)  
Extension of time granted

to January 7, 2005 to file appellant's opening brief. Extension is granted based upon counsel Manuel J. Baglanis's representation that he anticipates filing that brief by 1/7/2005. After that date, no further extension will be granted.

**S051451**

PEOPLE v. VALENCIA (ALFREDO)  
Extension of time granted

to January 11, 2005 to file appellant's opening brief. Extension is granted based upon Deputy State Public Defender Jamilla Moore's representation that she anticipates filing that brief by 1/11/2005. After that date, no further extension will be granted.

**S057321**

PEOPLE v. LOMAX (DARREL L.)  
Extension of time granted

to January 11, 2005 to file appellant's opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon Senior Deputy State Public Defender Jessica K. McGuire's representation that she anticipates filing that brief by 3/11/2005.

**S067392**

PEOPLE v. FREDERICKSON (DANIEL C.)  
Extension of time granted

to January 7, 2005 to file appellant's opening brief.

**S068536**

PEOPLE v. MCWHORTER (RICHARD)  
Extension of time granted

to January 10, 2005 to file appellant's opening brief. After that date, only six further extensions totaling about 320 additional days will be granted. Extension is granted based upon counsel David S. Adams's representation that he anticipates filing that brief by mis-12/2005.

**S072316**

PEOPLE v. GONZALES (VERONICA)  
Extension of time granted

to January 18, 2005 to file appellant's opening brief.

**S115318**

YOUNG (ROBERT) ON H.C.  
Extension of time granted

to December 1, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 21 additional days will be granted. Extension is granted based upon counsel Wesley A. Van Winkle's representation that he anticipates filing that document by 12/22/2004.

**S116554**

AVILA (JOHNNY) ON H.C.  
Extension of time granted

to December 13, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only three further extensions totaling about 80 additional days will be granted. Extension is granted based upon counsel Gary B. Wells's



representation that he anticipates filing that document by 3/4/2005.

**S121004**

DANKS (JOSEPH MARTIN) ON H.C.  
Extension of time granted

to December 8, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 60 additional days will be granted. Extension is granted based upon counsel Gary D. Sowards's representation that he anticipates filing that document by 2/7/2005.

**S123203**

B152948 Second Appellate District,  
Division Four

RUSHEEN v. COHEN  
Extension of time granted

to December 6, 2004 for appellant to file the answer brief on the merits.

**S124494**

B162235 Second Appellate District,  
Division Seven

DORE v. ARNOLD WORLDWIDE  
Extension of time granted

to December 13, 2004 to file appellant's answer brief on the merits.

**S124998**

SAMUELS (MARY ELLEN) ON H.C.  
Extension of time granted

to November 30, 2004 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Attorney General Kyle S. Brodie's representation that he anticipates filing that document by 11/30/2004. After that date, no further extension will be granted.

**S125236**

B164649 Second Appellate District,  
Division Four

PEOPLE v. CHACON  
Extension of time granted

to December 7, 2004 to file appellant's answer brief on the merits. No further extensions will be granted.

**S125643**

A101754 First Appellate District,  
Division Five

M. (K.) v. G. (E.)

Extension of time granted

to December. 30, 2004 for respondent to file the  
answer brief on the merits.

S126908 Fourth Appellate District,  
G031925 Division Three

ROSENDALE, MARRIAGE OF

Extension of time granted

to December 13, 2004 for respondent to file the  
opening brief on the merits.

**S127535**

E033515 Fourth Appellate District,  
Division Two

BIGHORN-DESERT VIEW WATER AGENCY v.

BERINGSON (KELLEY, E.W.)

Extension of time granted

On joint application of the parties for extension  
of time and good cause appearing, the following  
briefing schedule is hereby ordered:

1. Real Party's in Interest opening brief on the  
merits must be served and filed on or before  
December 17, 2004.
2. Respondent's answer brief on the merits must  
be served and filed on or before January 28,  
2004.
- (3) Real Party's in Interest reply brief on the  
merits must be served and filed on or before  
February 17, 2004.

**S055415**

PEOPLE v. COWAN (ROBERT W.)

Counsel appointment order filed

Mark Goldrosen and Nina Wilder, previously  
appointed as lead and associate counsel,  
respectively, to represent appellant Robert  
Wesley Cowan for the direct appeal in the above  
automatic appeal now pending in this court, are  
hereby appointed to also represent appellant  
Robert Wesley Cowan for habeas  
corpus/executive clemency proceedings related  
to the above automatic appeal.

**S126183**

E033503 Fourth Appellate District,  
Division Two

## PEOPLE v. POSLOF

Counsel appointment order filed

John L. Dodd appointed to represent appellant.  
Appellant's brief on the merits due within 30  
days of this order.

**S126806**

E033166 Fourth Appellate District,  
Division Two

## PEOPLE v. WILLIAMS

Counsel appointment order filed

John L. Dodd is appointed to represent  
appellant.

**S042278**

## PEOPLE v. SAMUELS (MARY ELLEN)

Record augmentation granted

It is hereby ordered that the Los Angeles Superior Court is to augment the record on appeal with the information presented to the trial court at the *in camera* hearing on defendant's motion to discover the law enforcement records of George Daley, Los Angeles Police Department serial No. 17029. This hearing was held before the Honorable Michael Hoff, Tuesday, May 3, 1994, in the case of *The People of the State of California v. Mary Ellen Samuels*, case No. PA 002269. (Cal. Rules of Court, rules 12, 36.1.) The item will remain under seal unless otherwise ordered by this court.

Compliance with this order shall be within 20 days.

**S122590**

## FREEMAN (FRED H.) ON H.C.

Reference hearing ordered

## THE COURT:

In the matter of Fred Harlan Freeman on Habeas Corpus, S122590 (Superior Court of Alameda County, No. 79502), good cause appearing, the court orders the Presiding Judge of the Santa Clara County Superior Court to select a judge of that court to sit as a referee in this proceeding, and to promptly notify this court of the referee selected. After appointment

by this court, the referee, after proper notice to the parties, is directed promptly to hold an evidentiary hearing and to make findings on the following questions:

1. Did Judge Stanley Golde commit the acts alleged in paragraph 10 of the declaration of John R. Quatman, attached as exhibit 74 to the petition? If so, exactly what did he do, and where, when, and under what circumstances did he do it?

2. Did John R. Quatman exercise any peremptory challenges at trial against any prospective juror who either was Jewish or whom he believed was Jewish? If so, whom did he challenge, and why did he challenge that person? Did John R. Quatman exercise any peremptory challenges on the basis of religion at the advice of Judge Golde?

It is further ordered that the referee prepare and submit to this court a report of the proceedings conducted pursuant to this appointment, of the evidence adduced, and of the findings of fact made.

**S127641**

A104078 First Appellate District,  
Division Four

FRYE v. TENDERLOIN HOUSING  
Order filed

In the above entitled matter, in which review was granted on November 10, 2004, the court requests the State Bar of California to file an amicus curiae brief, addressing the issues presented by the case. The brief should be filed no later than the date set forth in rule 29.1(f) of the California Rules of Court.

**S108811**

HENSCHER ON DISCIPLINE  
Order filed

The motion to transfer filed on September 3, 2004, is denied.

**S126323**

ARNOLDINI ON RESIGNATION  
Order filed

The order accepting voluntary resignation, filed  
July 22, 2004, is vacated.

**S126325**

BOSCHMA ON RESIGNATION  
Order filed

The order accepting voluntary resignation, filed  
July 22, 2004, is vacated.

**S126357**

IN THE MATTER OF THE SUSPENSION OF  
ATTORNEYS PURSUANT TO RULE 962,  
CALIFORNIA RULES OF COURT

Having been provided proof of compliance  
pursuant to Family Code 17520, the suspension  
of **Sean L. Andrews** pursuant to our order filed  
on July 21, 2004, is hereby terminated.  
This order is final forthwith.

